

SEC. 234. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) Establishment- There is established the Arabia Mountain National Heritage Area in the State.

(b) Boundaries- The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled 'Arabia Mountain National Heritage Area', numbered AMNHA-80,000, and dated October 2003.

(c) Availability of Map- The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) Local Coordinating Entity- The Arabia Mountain Heritage Area Alliance shall be the local coordinating entity for the heritage area.

SEC. 235. AUTHORITIES AND DUTIES OF THE LOCAL COORDINATING ENTITY.

(a) Authorities- For purposes of developing and implementing the management plan, the local coordinating entity may--

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) Duties-

(1) MANAGEMENT PLAN-

(A) IN GENERAL- The local coordinating entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS- In developing and implementing the management plan, the local coordinating entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(2) PRIORITIES- The local coordinating entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and nonprofit organizations in preserving resources within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) PUBLIC MEETINGS- The local coordinating entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT- For any year in which Federal funds have been made available under this title, the local coordinating entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the local coordinating entity.

(B) The expenses and income of the local coordinating entity.

(5) AUDIT- The local coordinating entity shall--

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

(c) Use of Federal Funds-

(1) IN GENERAL- The local coordinating entity shall not use Federal funds made available under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES- Nothing in this title precludes the local coordinating entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

SEC. 236. MANAGEMENT PLAN.

(a) In General- The local coordinating entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) Basis- The management plan shall be based on the preferred concept in the document entitled 'Arabia Mountain National Heritage Area Feasibility Study', dated February 28, 2001.

(c) Consideration of Other Plans and Actions- The management plan shall--

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) Requirements- The management plan shall include the following:

(1) An inventory of the resources in the heritage area, including--

(A) a list of property in the heritage area that--

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this subtitle.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes--

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the local coordinating entity, including the membership and organizational structure of the local coordinating entity.

(e) Submission to Secretary for Approval-

(1) IN GENERAL- Not later than 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT- If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this subtitle until such date as a management plan for the heritage area is submitted to the Secretary.

(f) Approval and Disapproval of Management Plan-

(1) IN GENERAL- Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL-

(A) REVISION- If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall--

(i) advise the local coordinating entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the local coordinating entity to submit to the Secretary revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION- Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

(g) Revision of Management Plan-

(1) IN GENERAL- After approval by the Secretary of a management plan, the local coordinating entity shall periodically--

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the local coordinating entity for any revisions to the management plan that the local coordinating entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS- No funds made available under this subtitle shall be used to implement any revision proposed by the local coordinating entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 237. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) In General- At the request of the local coordinating entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) Priority- In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate--

(1) the conservation of the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

SEC. 238. EFFECT ON CERTAIN AUTHORITY.

(a) Occupational, Safety, Conservation, and Environmental Regulation- Nothing in this subtitle--

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 234(b) but for the establishment of the heritage area by section 234(a); or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 234(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 234(a).

(b) Land Use Regulation- Nothing in this subtitle--

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations) in existence on the date of enactment of this Act; or

(2) grants powers of zoning or land use to the local coordinating entity.

SEC. 239. AUTHORIZATION OF APPROPRIATIONS.

(a) In General- There is authorized to be appropriated to carry out this subtitle \$10,000,000, to remain available until expended, of which not more than \$1,000,000 may be authorized to be appropriated for any fiscal year.

(b) Federal Share- The Federal share of the cost of any project or activity carried out using funds made available under this subtitle shall not exceed 50 percent.

SEC. 240. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this subsubtitle terminates on the date that is 15 years after the date of enactment of this Act.

SEC. 241. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) Notification and Consent of Property Owners Required- No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified in writing by the

management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) Landowner Withdraw- Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 242. PRIVATE PROPERTY PROTECTION.

(a) Access to Private Property- Nothing in this subtitle shall be construed to--

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(b) Liability- Designation of the Heritage Area shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

(c) Recognition of Authority To Control Land Use- Nothing in this subtitle shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(d) Participation of Private Property Owners in Heritage Area- Nothing in this subtitle shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(e) Effect of Establishment- The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this subtitle may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to provide any nonexistent regulatory authority on land use within the Heritage Area or its viewshed by the Secretary, the National Park Service, or the management entity.